

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

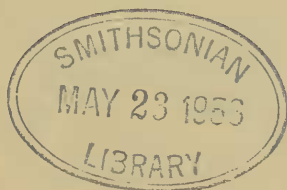
Edited by

FRANCIS HEMMING, C.M.G., C.B.E.
Secretary to the Commission

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OPINION 387

Suppression under the Plenary Powers of the generic name *Anodon* Smith, 1829, for the purpose of validating the generic name *Dasypeltis* Wagler, 1830, for the African Egg-eating Snake (Class Reptilia)



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 387

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Zoological Museum, Tring, Herts, England*)

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Vice-President : Senhor Dr. Afranio do Amaral (*Sao Paulo, Brazil*) (12th
August 1953)

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B. The Members of the Commission

(Arranged in order of precedence by reference to date of election or of most recent
re-election, as prescribed by the International Congress of Zoology)

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Mr. P. C. SYLVESTER-BRADLEY (*Sheffield University, Sheffield, England*) (12th
August 1953)

Dr. L. B. HOLTHUIS (*Rijksmuseum van Natuurlijke Historie, Leiden, The Nether-
lands*) (12th August 1953)

SUPPRESSION UNDER THE PLENARY POWERS OF THE GENERIC NAME "ANODON " SMITH, 1829, FOR THE PURPOSE OF VALIDATING THE GENERIC NAME "DASYPELTIS " WAGLER, 1830, FOR THE AFRICAN EGG-EATING SNAKE (CLASS REPTILIA)

RULING :—(1) Under the Plenary Powers the generic name *Anodon* Smith, 1829, is hereby suppressed for the purposes of the Law of Priority but not for those of the Law of Homonymy.

(2) The under-mentioned generic name is hereby placed on the *Official list of Generic Names in Zoology* with the Name No. 979 :—*Dasypeltis* Wagler, 1830 (gender : masculine) (type species, by original designation : *Coluber scaber* Linnaeus, 1758).

(3) The under-mentioned specific name is hereby placed on the *Official List of Specific Names in Zoology* with the Name No. 679 :—*scaber* Linnaeus, 1758, as published in the combination *Coluber scaber* (specific name of type species of *Dasypeltis* Wagler, 1830).

(4) The under-mentioned generic name is hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* with the Name No. 403 :—*Anodon* Smith, 1829, as suppressed under the Plenary Powers under (1) above.

I. THE STATEMENT OF THE CASE

On 20th February 1952, Dr. Arthur Loveridge (*Museum of Comparative Zoology at Harvard College, Cambridge, Massachusetts, U.S.A.*) addressed a preliminary communication to the Commission on his own behalf and on that of Mr. Carl Gans

(*New York City, N. Y., U.S.A.*) on the question of the preservation of the generic name *Dasypeltis* Wagler, 1830, for the African Egg-eating Snake, and on 17th March of the same year he submitted the following joint application to the Commission on this subject :

**Proposed use of the Plenary Powers to validate the generic name
"Dasypeltis" Wagler, 1830, for the African Egg-eating
Snake (Class Reptilia)**

By CARL GANS

(125 Canrini Blvd., New York 33, N. Y.)

and

ARTHUR LOVERIDGE

(*Museum of Comparative Zoology, Cambridge, Massachusetts*)

The present application is to ask the International Commission on Zoological Nomenclature to use its Plenary Powers to set aside the name *Anodon* Smith, 1829 (Ophidia) and to place the name *Dasypeltis* Wagler, 1830, on the *Official List of Generic Names in Zoology*.

2. This action is taken for the following reason : Andrew Smith (1829, "Contributions to the Natural History of South Africa, &c.", *The Zoological Journal* 4 : 443) erected the genus *Anodon* using *Coluber scaber* Linnaeus, 1758 (*Syst. Nat.* (ed. 10) 1 : 223) as type species. Wagler (1830, *Natürliches System der Amphibien* : 178) independently erected the genus *Dasypeltis* using the same type species. Inasmuch as *Anodon* Smith, 1829, was preoccupied by *Anodon* Oken, 1815 (*Lehrbuch der Naturgeschichte* 3(1) : 236) used for a mollusk, the name *Dasypeltis* has been used almost exclusively in subsequent literature.

3. In validation of the last statement a check of our bibliography revealed that of 303 papers listed as mentioning the species, 275 use *Dasypeltis*, with only a single reference (in the original paper) for *Anodon*. In the remaining papers *Rachiodon* Jourdan, 1834 (*L'Institut* 2 (no. 60) : 214) was used 15 times, and *Deirodon* Owen, [1840—1845] (*Odontography* : 220) twice.

4. Recently (Herschkovitz, 1950, "The status of names credited to Oken", *Journal of Mammalogy* 30 (no. 3) : 389) serious doubt has been cast on the availability of Oken's names. Further, we are informed by Mr. Francis Hemming, Secretary to the International Commission, who was asked by the Paris Congress in 1948 to examine the availability of names published in Oken's *Lehrbuch* (1950, *Bull. zool. Nomencl.*

4 : 366), that in the Report which he is submitting to the International Commission he has reached conclusions similar to those expressed by Hershkovitz.

5. The invalidation of Oken's *Lehrbuch*, to which we are not opposed would have the effect of depriving the name *Anodon* Oken, 1815, of availability and would thus render *Anodon* Smith, 1829, available, thus sinking *Dasypeltis* Wagler, 1830, unless steps were taken by the Commission to prevent this from happening. The substitution of *Anodon* Smith for the well-known *Dasypeltis* Wagler would serve no useful purpose of any kind and would tend only to confuse the nomenclature of this group of snakes. The International Commission on Zoological Nomenclature is accordingly asked :—

- (1) to use its Plenary Powers to suppress the name *Anodon* Smith, 1829, for the purposes of the Law of Priority but not for those of the Law of Homonymy ;
- (2) to place the name *Dasypeltis* Wagler, 1830 (gender : masculine) (type species, by original designation : *Coluber scaber* Linnaeus, 1758) on the *Official List of Generic Names in Zoology* ;
- (3) to place the trivial name *scaber* Linnaeus, 1758, as published in the combination *Coluber scaber* (trivial name of type species of *Dasypeltis* Wagler, 1830) on the *Official List of Specific Trivial Names in Zoology* ;
- (4) to place the name *Anodon* Smith, 1829, as proposed, under (1) above, to be suppressed under the Plenary Powers, on the *Official Index of Rejected and Invalid Generic Names in Zoology*.

II. THE SUBSEQUENT HISTORY OF THE CASE

2. Registration of the present application : Upon the receipt from Dr. Loveridge of his preliminary communication, the question of the possible use of the Commission's Plenary Powers for the purpose of validating the generic name *Dasypeltis* Wagler, 1830, was allotted the Registered Number Z.N.(S.) 660.

3. Publication of the present application : The present application was sent to the printer on 19th May 1952 and was published in the *Bulletin of Zoological Nomenclature* on 29th August of the same year (Gans & Loveridge, 1952, *Bull. zool. Nomencl.* **6** : 347—348).

4. Issue of Public Notices : In accordance with the revised procedure prescribed by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* **4** : 51—56) Public Notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers in the present case was given on 29th August 1952 (a) in Part 11 of volume 6 of the *Bulletin of Zoological Nomenclature* (the part in which the Gans/Loveridge application was published) and (b) to the other prescribed serial publications. In addition, such Notice was given also to certain general zoological serial publications and also to a number of specialist serials.

5. Comments received : The issue of the Public Notices specified in the preceding paragraph elicited letters of support from the following four specialists :—(1) Hobart M. Smith (*University of Illinois, Urbana, Illinois, U.S.A.*) ; (2) James A. Oliver (*Curator of Reptiles, New York Zoological Society, Zoological Park, New York City*) ; (3) Richard A. Edgren (*G. D. Searle & Co., Research in the Service of Medicine, Chicago, Illinois, U.S.A.*) ; (4) Jay M. Savage (*Stanford University, Natural History Museum, Stanford, California, U.S.A.*). No objection to the action proposed was received from any source.

6. Support received from Professor Hobart M. Smith (University of Illinois, Urbana, Illinois, U.S.A.) : On 22nd September 1952 Professor Hobart M. Smith (*University of Illinois, Urbana, Illinois, U.S.A.*) addressed the following letter to the Commission in support of the present application (Smith, 1952, *Bull. zool. Nomencl.* **9** : 157) :—

Inasmuch as *Dasypeltis* Wagler, 1830, is a name rather widely referred to in zoological literature, as applying to an odd genus of peculiarly adapted egg-eating snakes, I am of the opinion that the proposal by Gans and Loveridge (1952, *Bull. zool. Nomencl.* **6** : 347—348) for the validation by the Commission of this name in this sense should be upheld.

7. Support received from Dr. James A. Oliver (Curator of Reptiles, New York Zoological Society, Zoological Park, New York City) : On 22nd October 1952, Dr. James A. Oliver (*Curator of Reptiles, New York Zoological Society, Zoological Park, New*

York City) addressed the following letter to the Commission in support of two applications including the present one (Oliver, 1952, *Bull. zool. Nomencl.* 9 : 157) :—

I am writing to support two recent requests for use of the Plenary Powers of the International Commission in regard to the nomenclature of Reptiles. I believe that both of these proposals are desirable from the standpoint of nomenclatorial stability. Both proposals apply to well-known forms and involve names that have been long in use. The proposals in question are :—

- (1) Validation of the generic name *Dasypeltis* Wagler, 1830, for the African Egg-eating Snake, by Carl Gans and Arthur Loveridge (Commission's reference Z.N.(S.) 660).
- (2) Determination of the species to which the trivial name *simus* Linnaeus, 1767, as published in the combination *Coluber simus*, is to be applied, by Richard A. Edgren (Commission's reference Z.N.(S.) 662)¹.

I am in complete agreement with all of the requests made under each of these proposals.

8. Support received from Dr. Richard A. Edgren (G. D. Searle & Co., Research in the Service of Medicine, Chicago, Illinois, U.S.A.) : On 24th November 1952, Dr. Richard A. Edgren (G. D. Searle & Co., Research in the Service of Medicine, Chicago, Illinois, U.S.A.) addressed a letter to the Commission commenting upon this and a number of other recently published applications relating to the names of reptiles. The following is an extract from Dr. Edgren's letter of the portion in which he indicated his support for the present application :—

I wish to express my opinions on the following :—

- (4) I am in favor of the validation of *Dasypeltis* Wagler, 1830.

9. Support received from Dr. Jay M. Savage (Stanford University, Natural History Museum, Stanford, California, U.S.A.) : On 28th November 1952, Dr. Jay M. Savage (Stanford University, Natural History Museum, Stanford, U.S.A.) addressed a letter to the Commission commenting upon this and a number of other

¹ For the decision of the Commission in this matter see *Opinion* 390 (now in the press and shortly to be published as Part 13 of the present volume).

recently published applications relating to the names of reptiles. The following is an extract from Dr. Savage's letter of the portion in which support was given to the present application :—

In going over the recent issues of the *Bulletin of Zoological Nomenclature* I find a number of applications to the Commission that I feel qualified to express an opinion on. These are listed below by Z.N.(S.) Numbers for ready reference :—

.

Z.N.(S.) 660. Completely in agreement with Gans and Loveridge.

III. THE DECISION TAKEN BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

10. Issue of Voting Paper V.P.(54)51 : On 5th April 1954, a Voting Paper (V.P.(54)51) was issued in which the Members of the Commission were invited to vote either for, or against, "the proposal relating to the name *Dasypeltis* Wagler, 1830, as specified in Points (1) to (4) on page 348 of volume 6 of the *Bulletin of Zoological Nomenclature* " [i.e. in the Points numbered as above in paragraph 5 of the application reproduced in the first paragraph of the present *Opinion*].

11. The Prescribed Voting Period : As the foregoing Voting Paper was issued under the Three-Month Rule, the Prescribed Voting Period closed on 5th July 1954.

12. Particulars of the Voting on Voting Paper V.P.(54)51 : At the close of the Prescribed Voting Period, the state of the voting on Voting Paper V.P.(54)51 was as follows :—

(a) *Affirmative Votes had been given by the following nineteen (19) Commissioners (arranged in the order in which Votes were received) :*

Holthuis ; Bonnet ; Hering ; Vokes ; Riley ; Esaki ; Dymond ; Boschma ; Jaczewski ; Lemche ; Hankó ; do Amaral ; Bradley (J.C.) ; Pearson ; Hemming ; Cabrera ; Sylvester-Bradley ; Stoll ; Mertens.

(b) *Negative Votes* :

None ;

(c) *Voting Papers not returned* :

None.

13. Declaration of Result of Vote : On 7th July 1954, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(54)51, signed a Certificate that the Votes cast were as set out in paragraph 12 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

14. Preparation of the Ruling given in the present " Opinion " : On 14th August 1955, Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(54)51.

15. Original References : The following are the original references for the names placed on *Official Lists* and *Official Indexes* by the Ruling given in the present *Opinion* :—

Anodon Smith, 1829, *Zool. J.* 4 : 143

Dasypeltis Wagler, 1830, *Naturl. Syst. Amph.* : 178

scaber, *Coluber*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 223

16. Family-Group-Name Aspects : The application dealt with in the present *Opinion* was published in the *Bulletin of Zoological Nomenclature* prior to the establishment of the *Official List of Family-Group Names in Zoology* by the Fourteenth International Congress of Zoology, Copenhagen, 1953. It has not been possible

since then to deal with this aspect of the present case. This question is however being examined on a separate File to which the Registered Number Z.N.(G.) 126 has been allotted.

17. At the time of the submission of the present application the name applicable to the second portion of a binomen was "trivial name". This was altered to "specific name" by the Fourteenth International Congress of Zoology, Copenhagen, 1953, which at the same time made corresponding changes in the titles of the *Official List* and *Official Index* of names of this category. These changes in terminology have been incorporated in the Ruling given in the present *Opinion*.

18. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

19. The present *Opinion* shall be known as *Opinion* Three Hundred and Eighty-Seven (387) of the International Commission on Zoological Nomenclature.

DONE in London, this Fourteenth day of August, Nineteen Hundred and Fifty-Five.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING